

REMARKS

Applicants have canceled Claims 4 and 18-20 and amended Claims 1, 7, 9, 12, 14 and 15. As a result, Claims 1-3, 5-9 and 12-17 are currently pending in the application.

The Examiner has objected to Claims 7 and 8 under 37 CFR 1.75 (c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. In response, Applicant has amended Claim 7 to dependent from Claim 1 so that it properly limits a previous claim.

The Examiner has rejected Claim 4 under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains. In response, Applicant has canceled Claim 4.

The Examiner has rejected Claims 4, 7-9, 13, 14 and 15 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, Applicant have canceled Claim 4 and amended Claims 7, 9, 14 and 15. With respect to Claim 13, Applicant respectfully refers the Examiner to page 7, lines 15-20, to page 8, lines 1-6 and to Figures 3 and 5. As shown in Figures 3 and 5 and designated by 76, 78 and 84, 86, the play area is an individual space around or in front of the toy kitchen where a child may play.

The Examiner has rejected Claims 1-3, 5, 7, 8 and 11-16 under 35 U.S.C. 102(b) as being anticipated by Mariol. In response, applicants have amended independent Claims 1 and 12 to

specifically recite that the island is a repositionable island with respect to Claim 1 and the second unit is a removable and repositionable second unit with respect to Claim 12.

The Mariol patent illustrates a toy kitchen play center with a pivotal table 61. The table 61 pivots from a upright extended position as shown in figure 1 to a closed position in figure 4. The table in the Mariol patent may not be repositioned with respect to the kitchen since it is not removably coupled to the kitchen unit as set for in Applicant's amended independent Claim 1. The table in the Mariol patent is also not repositionable with respect to the kitchen unit such that table is positioned at an angle to the kitchen unit or in the same plane as the kitchen unit as set forth in Applicant's amended independent Claim 12. As a result, Applicant respectfully submits that the Mariol patent does not anticipate the invention set forth in amended independent Claims 1 and 12.

Therefore, Applicant submits that independent Claims 1 and 12 of the present invention are patentable over the Mariol patent. Applicant submits that Claims 2, 3, 5-11 and 13-16, which are dependent on Claims 1 and 12 are also patentable over the Mariol patent.

The Examiner has rejected Claims 1, 6-9, 12, 13 and 17-20 under 35 U.S.C. 102 (b) as being anticipated by Katzman. After a telephone conference with the Examiner on March 26, 2002, the Examiner indicated to Applicant's attorney that the reference referred to in the rejection should have been Katzman et al. In response, applicants have amended independent Claims 1 and 12 to specifically recite that the island is a repositionable island with respect to Claim 1 and the second unit is a removable and repositionable second unit with respect to Claim

12. Applicants have also canceled Claims 4 and 17-20, thus the rejection as applied to Claims 4 and 17-20 is now moot.

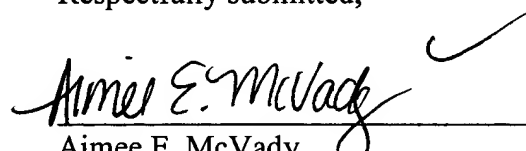
The Katzman et al. patent does not illustrate a toy kitchen with a main unit and an island as indicated by the Examiner. The Katzman et al. patent illustrates an amusement set or toy playhouse with figurines. The toy playhouse of the Katzman et al. patent includes two sections 14 and 16 that are pivotally connected at one side. The connection of the two sides of the playhouse forms a center section with respect to the sides that acts as an elevator shaft 24 for the playhouse. Contrary to the Examiner's rejection, the playhouse includes a closure grate 86 that closes the elevator shaft 24 and a downwardly extending flange 56 positioned on section 16. One of the sections in the Katzman et al. patent may not be removably repositioned with respect to the other section since each section is coupled together to form the playhouse. Applicant respectfully submits that the Katzman et al. patent does not anticipate the present invention as set forth in the amended independent Claims 1 and 12.

Therefore, Applicant submits that independent Claims 1 and 12 of the present invention are patentable over the Katzman et al. patent. Applicant submits that Claims 2, 3, 5-11 and 13-16, which are dependent on Claims 1 and 12 are also patentable over the Katzman et al. patent.

The Examiner has rejected Claim 4 under 35 U.S.C. 103(a) as being unpatentable over Mariol in view of Orenstein. In response, Applicant has cancelled Claim 4. As a result, Applicant believes the Examiner's rejection with respect to Claim 4 is now moot.

In view of the foregoing amendments and remarks, it is believed that the application is now in condition for allowance and such action is respectfully requested. If the Examiner believes that a telephone conference would advance the prosecution of this case, it is requested that the undersigned attorney be contacted for that purpose.

Respectfully submitted,


Aimee E. McVady
Reg. No. 48,720

Piper Marbury Rudnick & Wolfe
P.O. Box 64807
Chicago, IL 60664-0807
Phone: (312) 368-4000
Fax: (312)236-7516



Version with markings to show changes made to the Claims

RECEIVED
APR - 5 2002
TC 3700 MAIL ROOM

1. (Amended) A toy kitchen comprising:
a main unit; and
a[n] repositionable island removably coupled to the main unit in one of at least two positions.

7. (Amended) The toy kitchen of claim [9] 1 wherein the toy kitchen is configured for placement on a stove's display shelf having a predetermined depth.

9. (Amended) The toy kitchen of claim 1 wherein the main unit includes a front side and a rear side, and wherein an opening is defined within the main unit extending from the front side to the rear side, and wherein the main unit further comprises at least one of a window and a [window treatment] pair of shutters positioned at the opening.

12. (Amended) A repositionable toy kitchen comprising:
a first unit extending along a first substantially vertical longitudinal plane; and
at least one removable and repositionable second unit extending along a second substantially vertical longitudinal plane and positionable adjacent to the first unit in a first position, in which the first longitudinal plane is angled with respect to the second longitudinal plane, and a second position, in which the first and second longitudinal planes are substantially coplanar.

14. (Amended) The repositionable toy kitchen of claim 12 wherein the first unit is [the] a main kitchen unit and wherein the second unit is an island.

15. (Amended) The repositionable toy kitchen of claim 12 wherein the kitchen when positioned in the second position [is configured for display on] includes a shelf having a depth of approximately 18 inches.